

## CRIMINAL DOCKET - U.S. District Court

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE: Assigned U.S. **1085.4 8509**  
 OTHER MINOR OFFENSE MO ☐  
 OTHER MISDEMEANOR Mis ☒ Disp./Sentence  
 FELONY Fel ☐ District Office **5-31-77**

U.S. **VANBEER, Phillip E. (41) (Bond)**  
**1536 S. Colorado**  
**Bartlesville, OK 74003**  
**336-7275**  
 (LAST, FIRST, MIDDLE)

Case Filed  
 Mo. Day  
**10 13**  
 No. of Def's  
 \*  
**1**

Barrow

76-CR-144 - 1

Yr. Docket No. Def.

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS
18:288	False claim for postal losses (\$500 and/or 1 yr. eachhct.)	1 2

U.S. MAG. CASE NO. **2500xx**

DATE **10-13-76**

BAIL • RELEASE

☐ Denied ☐ AMT ☐ Fugitive ☐ Pers. Recog. ☐ PSA

☐ Set ☐ 10% Deposit ☐ Surety Bond ☐ Collateral ☐ 3rd Prty Cust ☒ Other

☐ Bail Not Made ☐ Status Changed (See Docket)

SUPERSEDING COUNTS

## II. KEY DATES &amp; INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE	
U.S. Custody Began <b>2-8-77</b> Summons Served First Appearance	High Risk Date <b>10-13-76</b> Indict. Waived <input type="checkbox"/> Superseding <input type="checkbox"/> Indict/Info <input type="checkbox"/> In Charging District	<b>2-10-77</b> 1st Plea <b>2-10-77</b> Final Plea	Trial Set For <b>5-16-77</b> <input checked="" type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL G. Plea { W/Drawn <input type="checkbox"/> NG <input type="checkbox"/> G <input type="checkbox"/> NOL	Voir Dire <input checked="" type="checkbox"/> <b>5-16-77</b> Trial Began <input checked="" type="checkbox"/> J <input type="checkbox"/> N <input type="checkbox"/> J <b>5-16-77</b> Trial Ended <b>5-17-77</b>	Disposition of Charges <b>5-31-77</b> <input checked="" type="checkbox"/> Convicted <input checked="" type="checkbox"/> On All Charges <input type="checkbox"/> On Lesser * Offense(s) <input type="checkbox"/> Acquitted <input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP <input type="checkbox"/> On Governm'ts Motion

MAGISTRATE		DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Search Warrant	Issued Return			PRELIMINARY EXAMINATION OR REMOVAL HEARING <input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/> INTERVENING INDICTMENT		<input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT <input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
Summons	Issued Served			Date Scheduled Date Held		
Arrest Warrant Issued				Tape Number		
COMPLAINT						
OFFENSE (In Complaint)						

U.S. Attorney or Asst.

Hubert H. Bryant

## ATTORNEYS

Defense ☒ CJA. ☐ Ret. ☐ Waived. ☐ Self. ☐ None / Other. ☐ PD. ☐ CD

Art Fleak  
 1141 E. 37th  
 Tulsa, OK 74105  
 PH: 747-2965

\* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
10-13-76		Record vote of grand jury, filed in open court. rm	2 10-13-76 M
10-13-76		Indictment, filed in open ct. Bond set at \$2,500 OR. (AEB-J)rm	
10-14-76		Warrant for arrest of def. issued. rm	
2-8-77		Information sheet, filed. b	
2-8-77		Appearance bond in amt. of \$2,500 O/R, filed, w/order spec. methods & conditions of release. b	
2-8		MO: Case set for arraignment & plea on 2-10-77, at 10:00 A.M. (AEB-J)b nts by phone	
2-9		Return on Warrant for Arrest of Deft. Vanbeber, fld. Arrested Deft. on 2-8-77 in Tulsa, OK. v	2 2-8-77 M 119
2-10		Case called for arraignment. Deft. present & rep. Govt. rep. Deft. acknow. receipt of indict; is advised of charge, is arraigned & enters plea of NOT GUILTY to Cts. 1 & 2. Deft. given 10 days to file motions; Govt. 5 days to respond. Case set for jury trial on 3-21-77, at 10:00 A.M. Upon oral request of deft. Ct. allows travel between Tulsa & Ok. City, as deft. is to have surgery on 2-27-77 in Ok. City. Bond cont'd (AEB-J)b	

DATE	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY				For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)
			Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)	
1977	(DOCUMENT NO.)						
2-22	Deft. motion for bill of particulars. fld ho						
2-24	Pltf's response to deft. motion for bill of particulars. fld ho		3	<u>2-24-77</u>	G		A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
2-28	MO: Case set for jury trial on 3-21-77, 10:00 A.M. (AEB-J)jj nts. by cert. mld. w/affidavit						
3-3	Order denying motion for bill of particulars as moot, pltf. having fully responded, filed. (AEB-J)g cp mld		3	<u>3-3-77</u>	G	8	B. NARA Examination (28 U.S.C. 2902). C. State or Federal trials on other charges. D. Interlocutory Appeals. E. Hearings on pretrial motions. F. Transfers from other districts (per F.R.C.P. Rules 20, 21 & 40).
3-8	Deft's mot. for continuance of 3-21-77 trial setting, filed.k cpy to Dene						
3-11	Order, filed, striking case from March 14, 1977 jury docket & re-setting on the May 16, 1977 jury docket. (AEB-J)b cps mld						
4-26	MO: Case set for jury trial on 5-16-77, at 10:00 A.M. (AEB-J)b nts mld						
5-17	Case tried to jury on 5-16-77 & 5-17-77. Deft. pres. & rep. Govt. rep. Parties announce ready. Jury selected & sworn. Rule invoked. Govt. makes opening statement & deft. defers same until close of Govts. case. Govt. presents case in chief; witnesses sworn & testify. At no objection by Deft., Govt's request to w/draw Exs. 1 & 2 at conclusion of trial allowed by Ct.. Parties Stipulation read into record. Govt. rests & Deft. makes open. statement & presents case in chief; witnesses sworn & testify. Parties rest. Closing arguments made; Ct. instructs jury & Bailiff sworn. Jury retires to deliberate at 11:05 A.M. on 5-17. (12:15) jury excused for lunch; returned to deliberate at 1:55 P.M.) 3:22 P.M. Jury returns w/verdict finding Deft. GUILTY as charged in Cts. 1 & 2 of the Indictment. Verdict, received, read & filed in open court. Ct. orders verdict spread of record. Jury polled & discharged. Ct. orders pre-sentence report. Sentencing set on 5-31-77, at 10:00 A.M. Deft. advised of right to appeal. Bond continued. (AEB-J)b						G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G). H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition. I. Prosecution deferred by mutual agreement. M. Unavailability of defendant or essential witness. N. Period of mental or physical incompetence of defendant to stand trial. O. Period of NARA Commitment or Treatment. P. Superseding indictment and/or new charges. R. Defendant awaiting trial of Co-defendant when no severance has been granted.
5-17	Verdict, filed, finding Deft. GUILTY as charged to Cts. 1 & 2 of Indictment. b						
5-17	Trial exhibits, filed. b						
5-17	two notes from jury foreman, filed. b						
5-23	Ret. of USM service of subpoena to testify, fld. executed by serving Victor VanLint on 5-12-77 in San Francisco, CA (USM \$3.00) ho						
5-31	Case called for sentencing. Deft. present & rep. Govt. rep. Deft. & co. asked if they have anything to say before sent. is pronounced: Judgment & Ord. of Prob. - Phillip E. Vanbeber Ct. 1 - Impos. of sentence is suspended & deft. is placed on probation for period of two (2) years Ct. 2 - Impos. of sentence is suspended & deft. is placed on probation for period of Two (2) years, to run concurrently w/ Ct. 1. The special condition of probation in Cts. 1 & 2 is that deft. make restitution of \$200.00 as to each count to the Ct. Clk at \$10.00 a month per count, for payment to Postal Services. Deft. advised of right to appeal. Bond exonerated. (AEB-J)b						T. Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendants interests). U. Time between guilty plea and plea withdrawal. W. Grand Jury indictment extended per 3161 (b).

## FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER
7-7-77	20.00	12-2 10.00	5-2-78	10.00	6-2-78 10.00
8-2-77	20.00	1-4-78 20.00	8-3-78	10.00	6-16-78 40.00 USPS
9-2-77	20.00	1-31-78 10.00	9-1-78	10.00	7-3-78 10.00
10-2-77	10.00	2-13-78 50.00	9-21-78	30.00	8-3-78 10.00
11-9-77 USPS	70.00	3-3-78 10.00			9-1-78 10.00
11-2-77	10.00	3-31-78 10.00			9-21-78 30.00 USPS
					10-5-78 10.00

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

U. S. vs

PHILLIPS E. VANBEBER

76-CR-144-B

Yr. | Docket No. | Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
1977	(Document No.)	(a)	(b)	(c)	(d)
5-31	Judgment & Order of Probation, filed & entered. (AEB-J)b				
5-31	Two c/c of J & Ord. of Prob. to probation office. b				
6-3	Reporters transcript of proceedings had on 5-31-77 Partial transcript. (CRD-CSR) fld. ho				
1981					
1-8-81	EXHIBITS are returned to respective parties.am				
	<p><u>Restitution</u></p> <p>11-1-78 30.00</p> <p>12-18-78 30.00</p> <p>12-21-78 \$70.00 USPS pd</p> <p>12-28-78 30.00</p> <p>2-1-79 30.00</p> <p>3-2-79 30.00</p> <p>3-29-79 \$90.00 USPS pd</p> <p>5-3-79 \$20.00 pd in full</p> <p>4-3-79 \$30.00</p> <p>6-22-79 \$50 pd in full USPS</p>				

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				

AO-257

Interval  
(per Section II)

Start Date

End Date

Ltr.  
Code

Total  
Days